

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

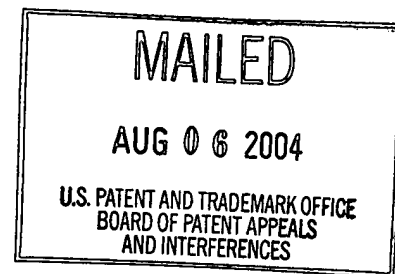
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Ex parte: SUJIT SHARAN AND GURTEJ S. SANDHU

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Application No. 09/825,612

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was received at the Board of Patent Appeals and Interferences on June 21, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below.

An Information Disclosure Statement by appellant was filed on March 11, 2003. There is no indication on the record, that this Information Disclosure Statement was considered by the Examiner.

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A written communication notifying appellant of the Examiner's receipt and consideration of the March 11, 2003 Information Disclosure Statements is required.

Further, the Final Rejection dated April 9, 2003, included a rejection of 22-26 and 28 under 37 CFR 102(e) as being anticipated by Chang (U.S. Patent No. 6,294,466). The Examiner's Answer dated January 13, 2004, does not specifically identify these claims as being rejected (page 3). However, the paragraph that follows the rejection, which discusses the rationale for the rejection (page 4) includes an explanation for the rejection of claims 22-26 and 28. Clarification regarding the rejection of claims 22-26 and 28 is necessary.

Accordingly, it is

**Ordered** that the application is returned to the Examiner for  
1) consideration of the March 11, 2003, Information  
Disclosure Statements;

2) for examiner to sign the Form-1449 for the Information  
Disclosure Statements dated March 11, 2003;

3) Clarification as to the rejection of claims 22-26  
and 28 under 37 CFR 102(e).

Clarification of the above rejected claims 22-26 and 28 may

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be added to the communication which acknowledges consideration of the two previously identified Information Disclosure Statements.

4) for any further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

A handwritten signature in black ink, appearing to read 'D. M. Shaw', is written over a horizontal line.

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